

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-cv-0736-WKW
)	
SEVENTY FOUR THOUSAND SEVEN)	
HUNDRED (\$74,700) DOLLARS IN)	
UNITED STATES CURRENCY,)	
)	
Defendant.)	

DECREE OF FORFEITURE

Before the court is the United States of America's Motion for Decree of Forfeiture (Doc. # 46).

On August 15, 2006, the United States filed a complaint of forfeiture pursuant to 21 U.S.C. § 881(a)(6), alleging that the Seventy-Four Thousand Seven Hundred Dollars (\$74,700) in United States currency ("Defendant currency") constituted monies furnished, or intended to be furnished, in exchange for controlled substances, or represented the proceeds of trafficking in controlled substances or was used or intended to be used to facilitate violations of 21 U.S.C. §§ 801 et seq. (Doc. # 1).

It appearing that process was fully issued in this action and returned according to law: Pursuant to a Warrant and Summons for Arrest In Rem (Doc. # 2) issued by this court, the United States Marshals Service for the Middle District of Alabama arrested the Defendant currency on August 30, 2006 (Doc. # 3);

On September 1, 2006, a United States Marshal personally served Lindsey Barron, at the law office of Bruce Maddox, with copies of the Verified Complaint for Forfeiture In Rem and Warrant and Summons for Arrest In Rem (Doc. # 5);

On September 6, 2006, a United States Marshal personally served George Jones, III, with copies of the Verified Complaint for Forfeiture In Rem and Warrant and Summons for Arrest In Rem (Doc. # 4);

On September 14, 21, and 28, 2006, notice of this action was published in the Montgomery Advertiser newspaper (Doc. # 10);

On September 20, 2006, George Jones (“Claimant”) filed a claim to the Defendant currency (Doc. # 6);

On February 1, 2006, Claimant filed an answer to the Verified Complaint for Forfeiture In Rem (Doc. # 7);

On November 15, 2006, this Court entered its Uniform Scheduling Order setting this matter for non-jury trial during the term of court commencing June 4, 2007 (Doc. # 11);

On February 26, 2007, Claimant filed a motion to suppress certain evidence and statements arising out of his arrest, search of his residence, and subsequent interrogation (Doc. # 15);

On May 21, 2007, the United States filed its brief in opposition to Claimant’s motion to suppress (Doc. # 18);

On September 6, 2007, the court held a hearing on the motion to suppress;

On September 17, 2007, Claimant (Doc. # 26) and the United States (Doc. # 27) filed post-hearing briefing on the motion to suppress;

On September 28, 2007, the Claimant's motion to suppress was denied (Doc. # 28);

On October 17, 2007, the parties stipulated to submit the matter to the court for a decision based upon the transcript of the suppression hearing and the trial briefs (Doc. # 38);

On October 29, 2007, the parties submitted their trial briefs (Docs. # 40 & # 41);

On April 18, 2008, having considered all the evidence before it, the court entered its Memorandum Opinion and Order forfeiting the Defendant currency to the United States (Doc. # 44).

No other claim or answer has been filed on behalf of any other party.

Accordingly, for good cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Motion for Decree of Forfeiture (Doc. # 46) is GRANTED;
2. The Defendant Seventy Four Thousand Seven Hundred (\$74,700) Dollars in United States currency is forfeited to the United States, to be disposed of according to law, and no right, title, or interest in the Defendant currency shall exist in any other party.
3. The parties shall bear their own costs.

DONE this 29th day of April, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE